

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, AMENDING VILLAGE OF SALADO ORDINANCE NOS. 2022-01 AND 2022-02 TO ORDER A GENERAL ELECTION ON MAY 7, 2022, TO MODIFY THE POLLING LOCATIONS FOR EARLY VOTING AND ELECTION DAY; TO RECOGNIZE THE ELECTION AGREEMENT WITH BELL COUNTY TO CONDUCT THE ELECTION; TO ADOPT A PROCESS TO DESIGNATE ELECTION OFFICIALS AND ELECTION WORKERS; AND PROVIDING FOR FINDINGS OF FACT, SEVERABILITY, CONFLICTING PROVISIONS, GOVERNING LAW, PROPER NOTICE AND OPEN MEETING, AND AN EFFECTIVE DATE.

WHEREAS, on or about January 6, 2022, the Board of Aldermen of the Village of Salado adopted Ordinance No. 2022-01, calling a General Election to be held on May 7, 2022, for the purpose of electing a Mayor and two (2) Aldermen; and

WHEREAS, the Board of Alderman, on or about February 17, 2022, approved Ordinance No. 2022-02 which modified the dates and times of early voting and moved the polling location in Salado for the Village of Salado General Election to the same polling location as the State of Texas Constitutional Amendment Election that will be held on the same date as the General Election; and

WHEREAS, the Board of Aldermen now finds it reasonable and necessary to amend Ordinance No. 2022-02 to add polling locations for Early Voting and Election Day for the May 7, 2022 General Election and other modifications to Ordinance No. 2022-01 relating to the conduct of the election.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:

SECTION 1. Amendments.

- (A) That *Section 1 (A). Voting Locations.* of the Ordinance No. 2022-02 is hereby amended to read as follows:

"Section 1(A). Voting Locations. The polling places for the election shall be as shown on "Exhibit A" attached to this ordinance."

- (B) That *Section 4. Conduct of Election and Election Services Contract* of the Ordinance No. 2022-01 is hereby amended to read as follows:

"Section 4. Conduct of Election and Election Services Contract. The election shall be conducted under the terms and conditions of an agreement between the Village of Salado and the Bell County Elections Administrator ("Agreement") which the Board of Aldermen shall approve by separate action, prior to the Election. A copy of the approved Agreement shall be attached and labeled as "Exhibit B" to this Ordinance and incorporated by reference as it is fully set out herein. Chapter 271 of the Texas Election Code provides that all authorities of two or more political subdivisions that have ordered elections for the same day in all or part of the same territory, may enter into an agreement to hold the elections jointly in election precincts that can be served by common polling places, and the Board is expressly authorizing this action."

- (C) That *Section 5. Appointment of Election Officers* of the Ordinance No. 2022-01 is hereby amended to read as follows:

"Section 5. Appointment of Election Officers. Acting Bell County Elections Administrator Shay Luedeke shall serve as the Joint Election Officer and appoint a Presiding Judge, Alternate Presiding Judge and clerks to assist in conducting the election.

Each Presiding and Alternate Presiding Judge shall be given written notice of the appointment in accordance with Texas Election Code Section 32.009. Each Presiding Judge shall be served with a writ of election (notice of election) in accordance with Texas Election Code Section 4.007.

The Presiding Judge and election clerks shall be compensated at a rate of pay established by the Bell County Elections Administrator. Compensable hours shall be determined in accordance with the provisions of the Texas Election Code, as amended (the "Election Code") and other applicable laws."

- (D) That *Section 6. Early Voting.* of the Ordinance No. 2022-01 is hereby amended to read as follows:

"Section 6. Early Voting. The Acting Bell County Elections Administrator shall serve as the voting clerk for early voting for the Village and also serve as the joint early voting clerk."

- (E) That *Section 1(B). Early Voting by Personal Appearance.* of the Ordinance No. 2022-02 is hereby amended to read as follows:

"Section 1(B). Early Voting by Personal Appearance. The polling places for early voting by personal appearance for the Village election shall be as shown on "Exhibit A" attached to this ordinance.

Early voting by personal appearance shall be conducted on Monday, April 25, 2022, through Friday, April 29, 2022, from 8 a.m. to 5 p.m.; Monday, May 2, 2022, through Tuesday, May 3, 2022, from 7 a.m. to 7 p.m."

- (F) That Section 8. Early Voting by Mail. of the Ordinance No. 2022-01 is hereby amended to read as follows:

"Section 8. Early Voting by Mail. Early voting by mail shall be conducted in accordance with applicable provisions of the Texas Election Code. Ballot applications and ballots voted by mail shall be sent to: Bell County Elections Division, P.O. Box 1629, Belton, Texas 76513. Applications for ballot by mail must be received no later than the close of business on Tuesday, April 26, 2022."

- (G) That Section 9. Early Voting Ballot Board. of the Ordinance No. 2022-01 is hereby amended to read as follows:

"Section 9. Early Voting Ballot Board. The Acting Bell County Elections Administrator shall appoint the Presiding Judge of the Early Voting Ballot Board and members of the Board prior to the election. All early votes and other votes to be processed in accordance with early voting procedures pursuant to the Texas Election Code shall be delivered to the Bell County Elections Division, P.O. Box 1629/550 East 2nd Avenue, Belton, Texas, 76513 in accordance with the Election Code. The Early Voting Ballot Board shall perform its duties in accordance with applicable provisions of the Election Code."

- (H) That Section 10. Ballots and Election Expenditures Authorized. of the Ordinance No. 2022-01 is hereby amended to read as follows:

"Section 10. Ballots and Election Expenditures Authorized. All ballots shall be prepared in accordance with the Texas Election Code. The ballots shall be printed in both English and Spanish and shall conform to the requirements of the Texas Election Code. The Bell County Elections Division shall provide ES&S ExpressVote voting systems and DS200 Tabulating Units in the polling places and a ES&S Model DS850 Central Scanner and Tabulator at the central counting station. Oral bilingual assistance shall be available during the election and may be obtained by contacting the Presiding Election Judge or Alternate Election Judge. The cost of the Election shall be shared proportionately with entities participating

in the election as provided for in the Agreement. All expenditures necessary for the conduct of the election, the employment of all election officials and the purchase of materials is hereby authorized."

- (l) That *Section 11. Custodian of Records.* of the Ordinance No. 2022-01 is hereby amended to read as follows:

"Section 11. Custodian of Records. To the extent not otherwise provided in the Agreement, City Secretary Cara McPartland is appointed as the Custodian of Records ("Custodian") to perform duties related to the conduct and maintenance of records of the election as required under the Texas Election Code ending not earlier than the fortieth (40th) day after the date of the Election. In particular, the Custodian shall provide applications for candidates, accept applications from candidates for a place on the ballot, determine the order in which names will appear on the ballot for the Mayor and Aldermen positions, and accept and maintain records regarding campaign expenditures that may be filed with the Village.

The Custodian shall maintain an office open for election duties for at least three (3) hours each day, during regular office hours, on regular business days during the period required by the Election Code. The Custodian shall post notice of the location and hours of her office as required by the Election Code.

Notwithstanding the foregoing, pursuant to Sections 66.058 and 271.010 of the Texas Election Code, prior to the Election, the Acting Bell County Elections Administrator Shay Luedeke shall serve as a Joint Custodian of Records ("Joint Custodian") for the sole purpose of preserving all voted ballots securely in a locked room in the locked ballot boxes for the period of preservation required by the Election Code."

SECTION 2. Severability. If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance and the application of such provision to other persons and circumstances shall remain valid and in full force and effect, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 3. Conflicting Provisions. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

SECTION 4. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 5. Proper Notice and Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was acted upon was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 6. Authorization to Execute. The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the Board; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

SECTION 7. Effective Date. This Ordinance is effective immediately upon its passage and approval.

PASSED AND APPROVED by the Village of Salado Board of Aldermen on the 17th day of March 2022, by a vote of 4 (Ayes), 0 (Nays) and 0 (Abstentions).

VILLAGE OF SALADO

By: _____

Michael Coggin, Mayor

ATTEST:

Cara McPartland

Cara McPartland, City Secretary

(SEAL)



EXHIBIT "A"

EARLY VOTING LOCATIONS AND TIMES

Early Voting will be conducted in person on Monday, April 25, 2022 through Friday, April 29, 2022 from 8 a.m. to 5 p.m. and on Monday, 2, 2022 through Tuesday, May 3, 2022 from 7 a.m. to 7 p.m at the following locations:

- Belton - Bell County Courthouse Annex, 550 East 2nd Ave
- Killeen - Bell County Annex, 304 Priest Drive
- Killeen - Jackson Professional Learning Center, 902 Rev R A Abercrombie Dr.
- Temple - Temple ISD Administration Bldg, 401 Santa Fe Way
- Salado - Salado Church of Christ, 217 North Stagecoach
- Harker Heights - Parks & Recreation Center, 307 Millers Crossing

ELECTION DAY VOTING LOCATIONS AND TIME SATURDAY, MAY 7, 2022 from 7 a.m. to 7 p.m.

<u>Site #</u>	<u>City</u>	<u>Location Name and Address</u>
001	BELTON	Belton Nazarene Church, 1701 Sparta Road, Belton, Texas 76513
002	BELTON	Belton Annex, 550 E. 2nd Ave., Belton, Texas 76513
003	BELTON	Belton Annex North, 1605 N. Main St, Belton, Texas 76513
004	BELTON	Belton Senior Center, 842 S. Mitchell, Belton, Texas 76513
005	MORGAN'S POINT	Morgan's Point Event Center, 60 Morgan's Point Blvd., Morgan's Point Resort, Texas 76513
006	LITTLE RIVER/ACADEMY	Bliss Community Center, 109 South Evans, Little River/Academy, Texas 76554
007	KILLEEN	Liberty Christian Center, 4107 Westcliff Rd, Killeen, Texas 76543
008	HOLLAND	Holland City Hall, 102 West Travis Street, Holland, Texas 76534
009	KILLEEN	Anderson Chapel A.M.E. Church, 1000 Jefferis Ave., Killeen, Texas 76543
010	NOLANVILLE	J.W. Sims Community Center, 408 North 10th St., Nolanville, Texas 76559
011	HARKER HEIGHTS	VFW Post 3892, 201 VFW Dr., Harker Heights, Texas 76548
012	HARKER HEIGHTS	Harker Heights Parks & Recreation Center, 307 Millers Crossing, Harker Heights, Texas 76548
013	SALADO	Salado Church of Christ Activities Center 217 N. Stagecoach Rd., Salado, Texas 76571
014	TEMPLE	Western Hills Elementary School, 600 Arapaho Dr., Temple, Texas 76504
015	KILLEEN	Jackson Professional Learning Center, 902 Rev R A Abercrombie Dr., Killeen, Texas 76543
016	KILLEEN	Killeen Senior Center @ Lions Club Park, 1700 E. Stan Schleuter Loop, Killeen, Texas 76542
017	KILLEEN	Grace Christian Center, 1401 E. Elms Rd., Killeen, Texas 76542
018	HARKER HEIGHTS	St. Paul Chong Hasang Catholic Church 1000 E FM 2410, Harker Heights, Texas 76548

019	EAST TRIMMIER	First Baptist Church of Trimmier, 6405 Chapparral Road, Killeen, Texas 76542
020	TROY	Troy Community Center, 201 East Main, Troy, TX 76579
021	TEMPLE	VFW Post 1820, 3302 Airport Road, Temple, Texas 76504
022	TEMPLE	Northside Church of Christ, 3401 N. 3rd Street, Temple, Texas 76501
023	TEMPLE	A & E Storage, 4970 E. Highway 190, Temple, Texas 76502
024	TEMPLE	Cross Church on Birdcreek, 2202 Birdcreek Drive, Temple, Texas 76502
025	TEMPLE	Immanuel Baptist Church, 1401 W. Central, Temple, Texas 76504
026	TEMPLE	Wilson Parks & Recreation Center, 2205 Curtis B. Elliott Drive, Temple, Texas 76501
027	TEMPLE	Temple ISD Administration Bldg, 401 Santa Fe Way, Temple, Texas 76501
028	TEMPLE	Temple College Pavilion-Leopard Room, Room 2800, 30 E. Marvin R Felder Dr., Temple, Texas 76504
029	CYCLONE	St. Joseph Catholic Church Fellowship Hall, 20120 Farm to Market Road 485, Burlington, Texas 76519
030	MOFFAT / STAMPEDE	First Baptist Church of Moffat, 13929 Moffat Road, Temple, Texas 76502
031	ROGERS	First Baptist Church of Rogers, 5 Prairie, Rogers, Texas 76569
032	TEMPLE	Raye-Allen Elementary School, 5015 South 5th St., Temple, Texas 76502
033	IVY GAP	3275 Boys Ranch Road, Kempner, Texas 76539
034	KILLEEN	Robert M. Shoemaker High School, 3302 Clear Creek Road, Killeen, Texas 76541
035	KILLEEN	Killeen Annex, 304 Priest Dr., Killeen, Texas 76541
036	KILLEEN	Central Fire Station, 201 South 28th Street, Killeen, Texas 76541
037	KILLEEN	Skyline Baptist Church, 906 Trimmier Rd., Killeen, Texas 76541
038	WEST TRIMMIER	West Bell Water Supply Office, 4201 Chaparral Road, Killeen, Texas 76540
039	KILLEEN	Killeen Utilities Department, 210 W. Avenue C, Killeen, Texas 76541
040	KILLEEN	Sugar Loaf Elementary School, 1517 Barbara Ln., Killeen, Texas 76549
041	KILLEEN	Roy J. Smith Middle School, 6000 Brushy Creek Dr., Killeen, Texas 76549
042	BARTLETT	Bartlett City Hall, 140 W. Clark St., Bartlett, Texas 76511